

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

ROBERT DAVID STEELE *et al.*,

Plaintiffs,

v.

Civil Action No. 3:17cv601

JASON GOODMAN *et al.*,

Defendants.

**DEFENDANT PATRICIA A. NEGRON'S
MEMORANDUM IN SUPPORT OF MOTION TO APPEAR
BY TELEPHONE AT SETTLEMENT CONFERENCE**

Defendant Patricia A. Negron (“Ms. Negron” or “Defendant”), by counsel, for her Motion to Appear at Settlement Conference by Telephone (“Motion”), states as follows:

Factual Background

On January 29, 2020, the Court entered an Order [ECF 175] directing the parties to participate in a Settlement Conference with U.S. Magistrate Judge Young and continuing the trial until May 5, 2020. The Court entered a second Order on February 12, 2020 [ECF 176] setting the Settlement Conference for March 16, 2020 at 9:30 a.m.. The Order specifically requires in-person attendance by the parties.

Ms. Negron, who resides in Boston, Massachusetts, is a single, custodial parent of three boys, the youngest of whom is a senior in high school. (See attached “Declaration of Patricia A. Negron”). Her older two children are away at college in New Hampshire and New York, respectively. She stopped working full time approximately four years ago to handle a crisis with her son and has not had full time employment since then. Her savings have been depleted by attorneys’ fees and costs in defending this case, and she recently was forced to sell her home.

Pursuant to a short term lease that expires in June, Ms. Negron and her youngest son reside in a small apartment.

Given her financial circumstances, Ms. Negron has no choice but to drive from Boston to Richmond to attend the Settlement Conference. With the distance involved, she anticipates potentially being away from home two nights and three days. Ms. Negron's apartment is located too far from home for her son to walk or ride a bike to school and he is unable to take the bus. She has been unable to find someone to stay with her son and get him to school in her absence. There are no family or school friends he can stay with while she is gone. He does not drive a car, and has never taken a taxi, Uber, Lyft or other form of public transportation by himself.

Argument

The Court should grant Ms. Negron's Motion because requiring her attendance in person would create a strain on her both personally and financially. She is unable to secure care or transportation for her school age son for the days she will be over 600 miles away in Virginia. In addition, making the actual trip itself will continue to strain her financially. There is no prejudice to the Plaintiffs or Mr. Goodman if Ms. Negron appears by telephone. It is clear from the sheer volume of the pleadings and the allegations contained that this case is largely between Mr. Steele and Mr. Goodman. The prejudice to Ms. Negron however is great because she faces an impossible choice: not appear in person at the Settlement Conference and potentially face sanctions by the Court; or leave her son alone for two or three days while she is 600 miles away. Appearance by telephone is routinely approved by other courts. Ms. Negron's appearance by telephone will in no way diminish her ability to participate in settlement discussions in a meaningful way. Her attorney will be present and can remain in direct and immediate contact with her.

WHEREFORE, Defendant Patricia A. Negron, by counsel, respectfully requests the Court enter an Order: (1) granting her Motion permitting her to appear at the March 16, 2020 Settlement Conference by telephone; and (3) awarding such further and other relief as this Court deems appropriate.

Dated: February 26, 2020

Respectfully submitted,

PATRICIA A. NEGRON

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CERTIFICATE OF SERVICE

I hereby certify that on this 26th of February 2020, a true copy of the foregoing is being electronically filed with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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